

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JEFFREY R. WENK, LEE ANN WENK,

Plaintiffs,

v.

STATE FARM FIRE AND CASUALTY  
COMPANY,

Defendant.

2:22-CV-00433-CCW

**ORDER**

For the reasons stated in the Court's Opinion filed contemporaneously herewith, it is **HEREBY ORDERED** that the cross-Motions for Summary Judgment filed by Jeffrey R. Wenk and Lee Ann Wenk ("the Wenks"), ECF No. 36, and State Farm Fire and Casualty Company, ECF No. 32, are resolved as follows:

1. As to Count I of the Wenks' Complaint, State Farm's Motion is **DENIED IN PART**, insofar as it sought dismissal of the Count, and **GRANTED IN PART** insofar as the Wenks' recovery is limited to \$1.00. The Wenks' Motion is **GRANTED IN PART** and **DENIED IN PART** as to Count I, insofar as the Court will enter a judgment of \$1.00 in favor of the Wenks on that Count.
2. As to Count II of the Complaint, State Farm's Motion is **GRANTED** and the Wenks' Motion is **DENIED**. Judgment will be entered in favor of State Farm on Count II.

DATED this 8th day of September, 2023.

BY THE COURT:

/s/ Christy Criswell Wiegand  
CHRISTY CRISWELL WIEGAND  
United States District Judge

cc (via ECF email notification):

All Counsel of Record